

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6671

BILL NUMBER: HB 1291

DATE PREPARED: Jan 9, 2002

BILL AMENDED:

SUBJECT: Mandatory Testing of Prisoners.

FISCAL ANALYST: Mark Goodpaster

PHONE NUMBER: 232-9852

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires the Department of Correction (DOC) after June 30, 2002, to test new inmates for hepatitis C and the human immunodeficiency virus (HIV). It allows the DOC to require individuals committed before July 1, 2002, to submit to hepatitis C and HIV tests. It requires the DOC to report positive HIV test results to the State Department of Health. The bill also provides that results of the hepatitis C and HIV tests are confidential unless otherwise provided by law. The bill requires the DOC to file an annual report regarding certain statistical information regarding hepatitis C and HIV tests with the Legislative Services Agency. It also provides that the consent of the individual tested is not required.

Effective Date: July 1, 2002.

Explanation of State Expenditures: *Provision A: Added cost of \$172,435.*

The cost projection per HIV test is approximately \$5 for a screening test and \$50 for a confirmatory test. The cost for screening offenders for hepatitis C is currently \$8.40 per test, and under this bill, no confirmatory test for hepatitis C is required. Currently, the Indiana State Department of Health covers the expense of the HIV tests.

The number of adult and juvenile offenders who were admitted to DOC facilities in FY 2001 was 13,869. The Department of Correction reports that currently about 3,619 offenders are given HIV tests. Using this admissions figure and netting out the number of offenders who currently request HIV tests and who also receive hepatitis C tests, the costs of the initial test would be \$172,435.

The following table summarizes these costs:

Test For:	Admissions	Less Offenders Currently Tested	Added Offenders	Cost/test	Total Cost
Hepatitis C	13,896	218	13,678	\$8.85	\$121,050
HIV	13,896	3,619	10,277	\$5.00	\$51,385
Total Cost:					\$172,435

Provision B: *Added cost of \$5,150 for confirmatory tests for HIV.*

Two surveys have indicated that about 1% of the offenders entering DOC have tested positive for HIV. If 1% of the offenders entering DOC in the next year test positive and a confirmatory test (at a cost of \$50) must be performed for these offenders, the estimated cost would be \$5,150 for individuals testing positive for HIV. This bill does not require a confirmatory test for individuals who test positive for the initial hepatitis C test.

Added Number to Be Tested		Percent Testing Positive		Number Testing Positive		Cost of Confirmatory Test		Estimated Cost of Confirmatory Tests
10,277	x	1%	=	103	x	\$50	=	\$5,150

Provision C: *Added cost of \$309,631 for initial tests and \$11,200 for confirmatory tests.*

The total number of offenders who were in DOC facilities as of November 30, 2001, was 22,356, including jails and contracted beds. The bill provides that the DOC may require this population to also undergo these tests. If this entire population was tested for both HIV and Hepatitis C, the additional cost is estimated to be \$309,631.

Cost of Initial Test for All Offenders as of Nov. 30 2001:				
Current Population		Combined Cost		Total Cost
22,356	x	\$13.85	=	\$309,631

If DOC retests offenders with positive outcomes for HIV, the additional cost would be \$11,200 if 1% of the offenders would initially test positive for HIV.

Current Population		Percent Testing Positive		Number Testing Positive		Cost of Confirmatory Test		Estimated Cost of Confirmatory Tests
22,356	x	1%	=	224	x	\$50	=	\$11,200

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction; Department of Health; Legislative Services Agency.

Local Agencies Affected:

Information Sources: Department of Correction.